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8 IN THE UNITED STATES DISTRICT COURT

9
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11
12 GEORGE BRAGGS,

No. C 09-01936 SBA (PR)

13 Petitioner,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

14 v.

15 DERRELL G. ADAMS, Warden,

16 Respondent.

17 _____ /

18 Petitioner, a prisoner of the State of California, filed a document with the Court in the instant
19 case, which was opened as a habeas corpus action. On the same day the action was filed the Clerk
20 of the Court sent a notice to Petitioner informing him that his action could not go forward until he
21 filed with the Court a 28 U.S.C. § 2254 habeas petition form, completed in full, within thirty days or
22 his action would be dismissed. He was also sent another notice directing him to either pay the filing
23 fee or filed a completed prisoner's in forma pauperis application. The Clerk of the Court sent
24 Petitioner a blank in forma pauperis application and told him that he must pay the fee or return the
25 completed application within thirty days or his action would be dismissed.

26 On July 7, 2009, the Clerk sent a second notice to Petitioner giving him an extension of time
27 to respond to the previously-sent notices. He was directed to do so within thirty days or his action
28 would be dismissed.

1 Thereafter, Petitioner filed an in forma pauperis application; however, he did not file his
2 petition.

3 More than thirty days have passed, and Petitioner has not filed a petition or otherwise
4 communicated with the Court. Accordingly, this action is DISMISSED WITHOUT PREJUDICE.
5 Because the Court has already provided Petitioner with an opportunity to correct the deficiencies in
6 his initial filing, the Court does not grant leave to amend.

7 The Court has rendered its final decision on this matter; therefore, this Order TERMINATES
8 Plaintiff's case.

9 IT IS SO ORDERED.

10 DATED: 9/4/09



SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

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5
6 GEORGE BRAGGS,

Case Number: CV09-01936 SBA

7 Plaintiff,

CERTIFICATE OF SERVICE

8 v.

9 / et al,

10 Defendant.

11 _____ /
12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
Court, Northern District of California.

13 That on September 9, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
located in the Clerk's office.

16
17 George Braggs F-49725
18 California State Prison
19 P.O. Box 29-0066
Represa, CA 95671-0066

20 Dated: September 9, 2009

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk